

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MADHU JAIN,  
Plaintiff,  
v.  
CAPE ANN WHALE WATCH, INC.,  
Defendant.

FILED  
NOV 2 2005  
CIVIL ACTION NO. 05-11267-MEL

**PLAINTIFF'S INITIAL DISCLOSURE**

Plaintiff objects generally to any suggestion that it has an obligation to produce information or documents beyond those set out in the Federal Rules of Civil Procedure and provision by plaintiff does not amount to any admission or concession or constitute an affirmative use of the information. Plaintiff reserves all rights to amend as discovery is beginning

RULE 26 (a)(1)(A) Plaintiff at this time is unable to determine what other witnesses may have discoverable information except as the following persons (1) Madhu Jain who likely has information related to or about the whale watch and passengers and staff, the circumstances of her fall and aftermath, a descriptions of gangplank and its condition, the whalwatch, the ship and its condition, the trip, details as to occurrence and injury, plaintiffs past, present and future medical condition, negligence, facts about the circumstances of the whale-watch, background information, monetary expenses, pain and suffering, disability, expenses, present and future treatment (2) Varnit Jain may have discoverable information: descriptions of gangplank and surroundings, information about the whale watch, plaintiff's medical condition and hospitalization, facts about the relevant whale watch and passengers or staff actions or comments, background information, monetary expenses, pain and suffering, disability, travel and related expenses ) both reside at D-138, 1st Floor, East

of Kailash New Delhi - 110 065 India. (3) Dr. Robert McLaughlin, Beverly Hospital, surgery and medical treatment and results thereof, Madhu's current physiotherapist's (4) Dr. Shruti Singal, Physithrapy center, 235, Avatar Enclave, Pashchim Vihar, New Delhi - 110 063 (5) Doctors Depak Gupta and (6) Dr. Pradeep Dutta, A-2 Kailash Colony, New Deli, India (4), (5), (6) may have discoverable information about plaintiff's present, past and future medical condition, her prognosis, her disability, test results and related medical information, (information in November 5, 2004 medical report) report supplied herein and sequela thereof (3)-(6) may have discoverable information about their education, skills and qualifications. Defendant's disclosed witnesses. No expert witness or witnesses selected at this time a present time. We reserve the right to supplement this disclosure as discovery proceeds.

RULE 26 (a)(1)(B) N.N.O.A data and accompanying materials and G.O.M.O.O.S. and other climatic data relative to conditions on the date of injury, Defendants brochures, Werner Ladder Catalogue, November 5, 2004 medical report (appended), Certificate of Incorporation. Plaintiff possesses the tangible duplicate of involved Werner scaffold, rails and stanchions and other parts that duplicate the involved gangway, numerous photographs, negatives and digital copies of the ship, the ship's surroundings and the gangway all of which the defendant may examine and copy at a mutually agreed time at plaintiff's attorney's office. Plaintiff has supplied defendant with a bound set of documents titled "Document Submissions" Plaintiff appends paper copies of X-rays that plaintiff possesses on disc, plaintiff reserves the right to supplement this disclosure as discovery proceeds.

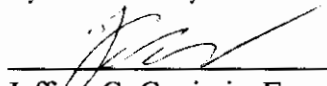
RULE 26 (a)(1)(C) Plaintiff refers defendant to computations in medical bills previously provided in bound set of documents titled "Document Submissions", plaintiff's husband airfare to travel from India to accompany her home, Indian medical expenses, future medical expenses (undetermined at present time) provided Madhu Jain , plaintiff reserves the right to supplement this disclosure as discovery proceeds.

RULE 26 (a)(1)(D) Plaintiff reserves the right to supplement this disclosure as discovery proceeds.

**CERTIFICATE OF SERVICE:** By my signature below, I, hereby certify that on the date set forth below, I have filed this document with the Clerk of Court by mail, via United States Postal Service, postage prepaid and hand delivered to and served a copy of same to Michael Rauworth.

**MAHDU JAIN**

By her attorney,



Jeffrey C. Coniaris, Esq., BBO# 555907

**LAW OFFICES OF JEFFREY CONIARIS**

84 State Street

Boston, MA 02109

Tel. (617) 720-5888

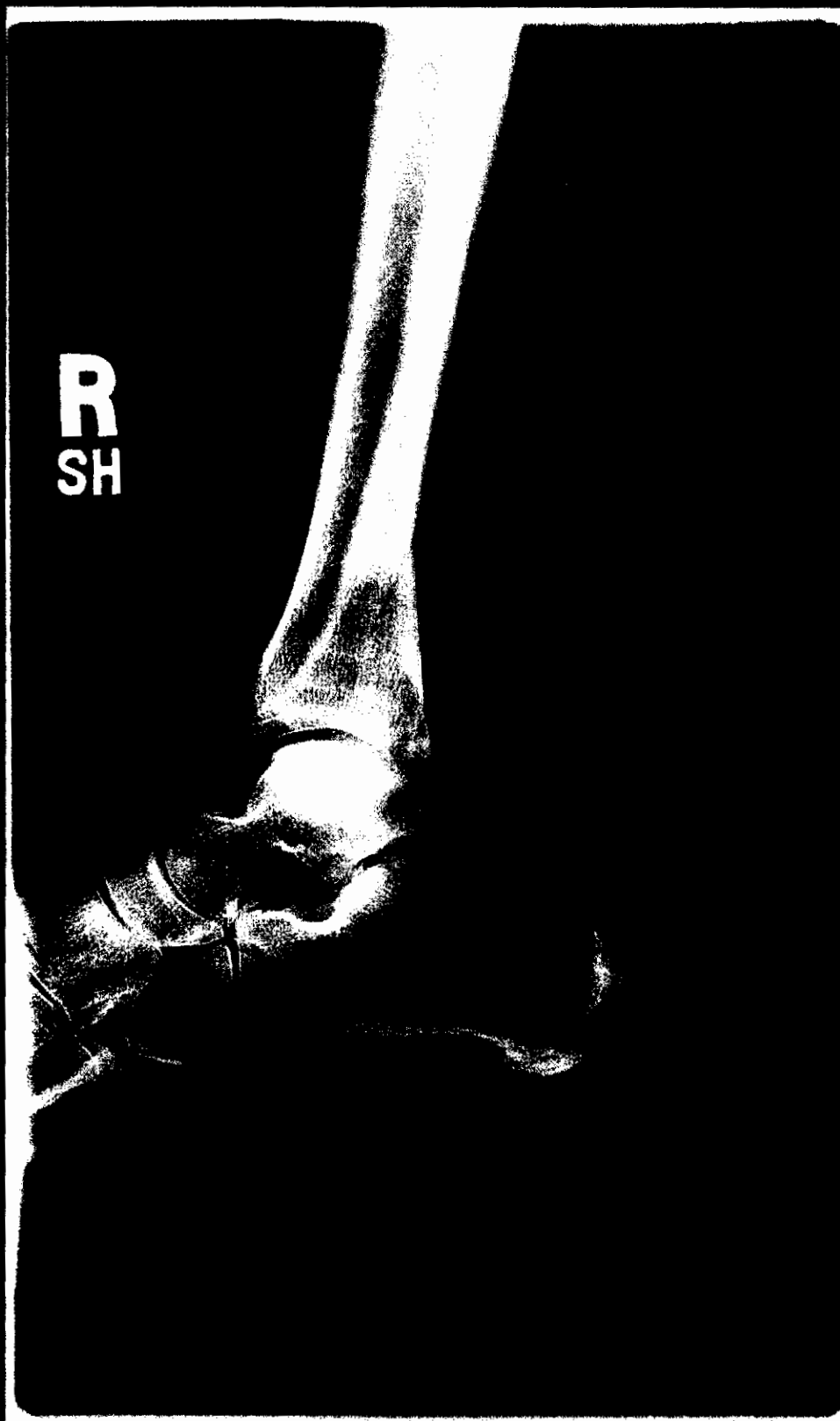
Fax. (617) 720-2164

November 1, 2005

JAIN,MADHU

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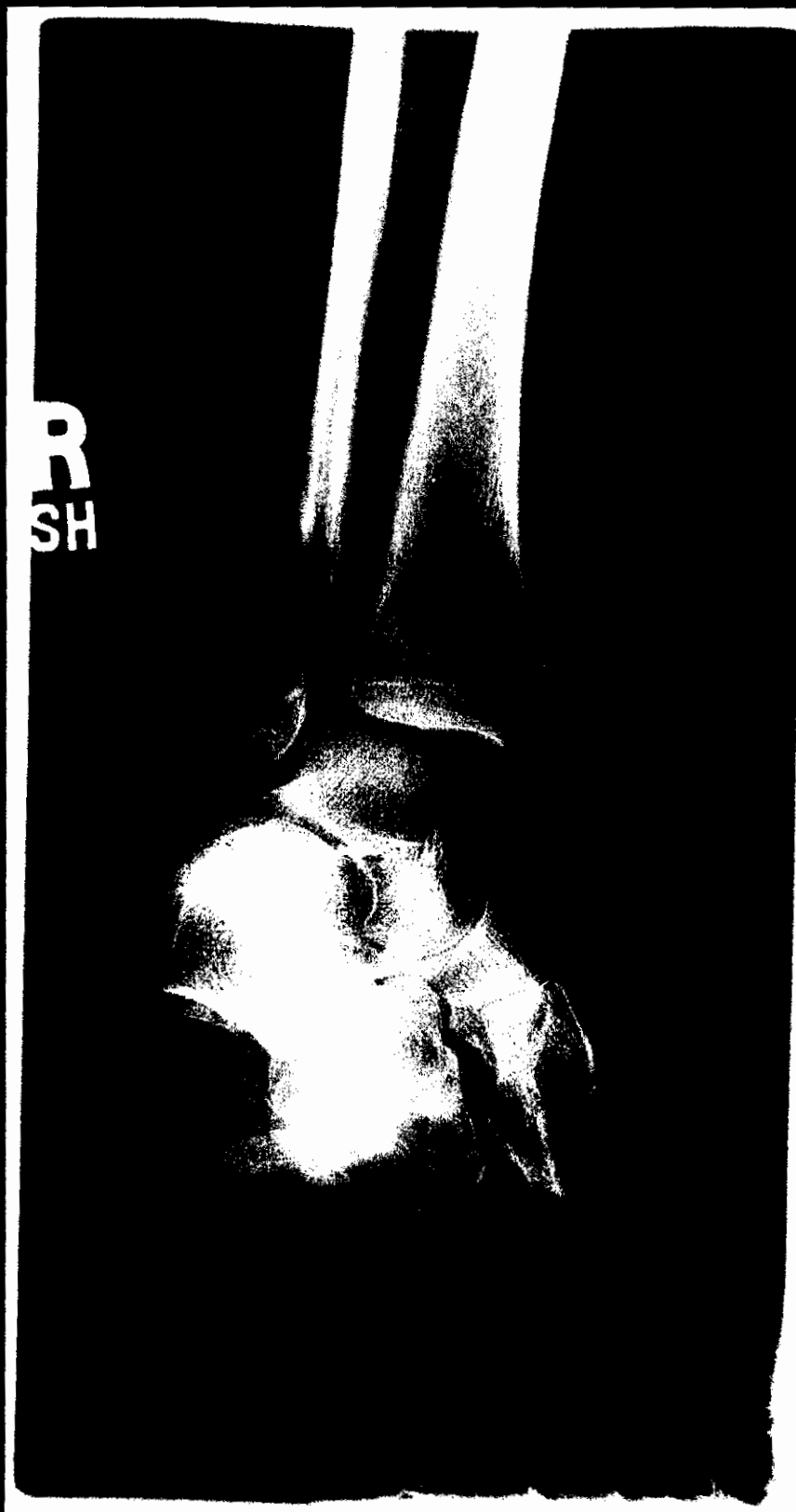
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JAIN,MADHU

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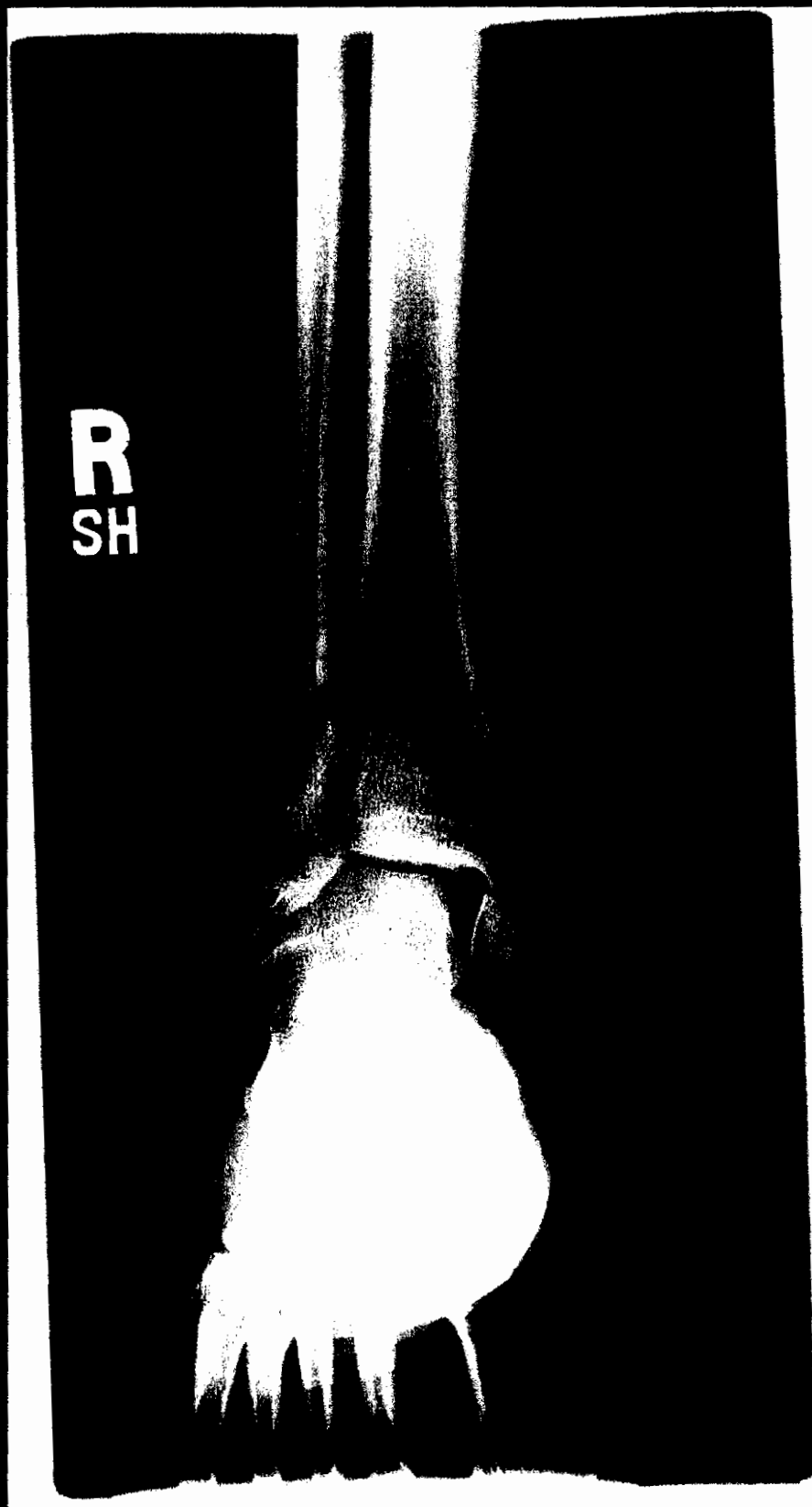
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JAIN, MADHU

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**WARNING!**  
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November 5, 2004

1. Its a bimalleolar fracture, The joint surface is involve site of fracture involves all the movement of the ankle. That is dorsiflexion, plantarflexion, inversion and eversion the foot. It is the weight bearing joint hence complete 'r' is very important for the patient to stand & to walk.

2. Presently the patient is not able to put full weight on walk without support. She limps while walking. The prognosis be remarked on only after further physiotherapy of five we will depend upon ankle joint range of movement.

3. Patient condition can improve or worsen depending on complications:

a. Joints stiffness & swelling. Presently joint is very & patient is undergoing physiotherapy since last three wee response is not satisfactory then manipulation under anaes may be needed to restore full movement.

Further complications which are very commonly seen in this f due to late recovery are:

b. Algodystrophy. There is pain & swelling & tenderness seen in the ankle joint associated with changes & severe osteoporosis.

c. The patient can not dorsiflex her ankle so abnormal s are put on the neighbouring joints specially the knee. complications can also lead to undue stress on the spine of limping.

4. There is risk of long term limitations & ability to endure term standing & walking as presently the fractured an swollen and there is limitation of the all the ankle movements causing the limp and it impossible for the pati walk and stand without support.

5. The patient was not wearing Sari at the time of accident wearing fitting clothes & sports shoes which are unlikely entangled in the foot. Such injuries can be caused by slip a slanting board.

6. Plate & screws shall remain in body for life.



**The Commonwealth of Massachusetts**  
**William Francis Galvin**

Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512  
Telephone: (617) 727-9640

A CAPE ANN WHALE WATCH, INC. Summary Screen



Help with this form

**Request a Certificate**

The exact name of the Domestic Profit Corporation: A CAPE ANN WHALE WATCH, INC.

The name was changed from: CAPE ANN WHALE WATCH, INC. on 4/23/04

The name was changed from: GLOUCESTER SIGHTSEEING CRUISES on 4/1/91

Entity Type: Domestic Profit Corporation

Identification Number: 042651413

Old Federal Employer Identification Number (Old FEIN): 000136711

Date of Organization in Massachusetts: 05/12/1978

Current Fiscal Month / Day: 12 / 31

Previous Fiscal Month / Day: 06 / 30

The location of its principal office in Massachusetts:

No. and Street: P. O. BOX 415

415 MAIN ST., ROSE'S WHARF

City or Town: GLOUCESTER

State: MA

Zip: 01930

Country: USA

If the business entity is organized wholly to do business outside Massachusetts, the location of that office:

No. and Street:

City or Town:

State:

Zip:

Country:

The name and address of the Registered Agent:

Name:

No. and Street:

City or Town:

State:

Zip:

Country:

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Expiration of Term
PRESIDENT	NICHOLAS DANIKAS	CENTENNIAL AVE., GLOUCESTER, MA 01930 USA CENTENNIAL AVE., GLOUCESTER, MA 01930 USA	
TREASURER	JAMES F. DOUGLASS	TWIN LIGHT CIRCLE, ROCKPORT, MA 01966 USA TWIN LIGHT CIRCLE, ROCKPORT, MA 01966 USA	
SECRETARY	JAMES F. DOUGLASS	TWIN LIGHT CIRCLE, ROCKPORT, MA 01966 USA TWIN LIGHT CIRCLE, ROCKPORT, MA 01966 USA	